

Town of Concord

APP #57
Workplace Violence

I. Policy Purpose

It is the intent of the Town of Concord to provide a workplace that is conducive to personal safety and security and is free from intimidation, threats, or violent acts. Accordingly, the Town maintains a zero tolerance policy toward workplace violence, or the threat of violence, by any of its employees, former employees, elected officials, customers, the general public, and/or anyone who conducts business with the Town.

II. Definitions

Workplace violence is any behavior which is intended (or which a reasonable person may perceive is intended) to abuse or injure a person or damage or destroy property in the workplace including, but not limited to bullying, threats, physical, verbal, written, or visual attack, or property damage. The following definitions are incorporated to assist employees to more fully understand the nature of the behavior prohibited by this policy; however, violent behavior is not limited to the descriptions below.

- A. Workplace bullying is repeated unreasonable or offensive actions in the workplace that impact or create a risk to the psychological or physical health, safety, or economic security of an employee. Workplace bullying is behavior that can intimidate, offend, degrade or humiliate an employee.
- B. A threat is the expression of intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat, and regardless of whether the threat is contingent, conditional or future.
- C. Physical attack is intentional hostile physical contact with another person or an object such as hitting, fighting, pushing, shoving, or throwing.
- D. Verbal attack is intentional hostile communication (including recorded messages) with another person such as abusive outbursts, verbal tirades intended to offend, offensive comments, or use of obscene or threatening language.
- E. Written attack is the use of printed or electronic media, including notes, letters, drawings, pictures, or computerized mail, to threaten, abuse, ridicule, or harass people or to threaten property.
- F. Visual attack is the use of bodily gestures that are threatening, obscene, or abusive.
- G. Property damage is intentional damage (as a reasonable person may presume by the nature of the damage) to property which includes property owned by the Town, employees, or others.

Town of Concord APP #24, Weapons Policy, provides specific definition, guidelines and restrictions regarding weapons in the workplace.

III. Prevention of Workplace Violence

The Town subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for

violating this policy, and providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

IV. Procedure for Reporting Threats

Employees are required to immediately, or as soon as practically possible, report each incident of violent behavior, whether the incident is committed by another employee or an external individual such as a customer, vendor, or citizen, to department management, Human Resources (HR), or the Town Manager's Office. In addition, employees are required to warn of any suspicious workplace activity, situations, or incidents of which they are aware that may lead to workplace violence. Department management will inform HR in writing and verbally of all reported incidents of workplace violence and will work with HR to assess and investigate the incident and determine the appropriate action to be taken, including notifying the Police Department where appropriate. For incidents involving violent behavior by non-employees, HR will maintain – at a minimum - a written log of all reported incidents including the name of the individual, time and date of the incident, nature of the incident, and outcome.

In critical incidents in which serious threat or injury occurs, emergency responders such as Police, Fire and/or Ambulance personnel must be promptly notified. As necessitated by the seriousness of the incident, the Town Manager may assemble a Management Response Team that consists of staff from the affected department, HR, public safety, the employee assistance program and others as deemed necessary. Under such critical circumstances, the Management Response Team shall be responsible for establishing the response protocol that may include but is not limited to:

- evaluating the potential for violence
- assessing an employee's fitness for duty (through mental health professionals)
- establishing a plan for the protection of co-workers and other potential targets
- coordinating with affected parties such as victims, families, other employees or law enforcement personnel
- referring victims to appropriate assistance and community service programs

Each step of this process will be carried out in as expeditious a manner as possible, recognizing the need to address any threat in a timely, yet thorough and appropriate manner.

Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation (including, but not limited to unwarranted discipline, demotion, reduction in pay or position and/or termination) or harassment. Any action of this type resulting from a report of violence must be reported to the appropriate management staff for investigation and decision regarding proper action.

V. Prohibited Actions & Sanctions

It is a violation of this policy to engage in any act of workplace violence or retaliation for reporting such behavior. Any employee who has been determined to be in violation of this policy will be subject to disciplinary action including but not limited to warning, reprimand, suspension or termination, according to the findings of the complaint investigation and, depending upon the violent act, may be subject to criminal sanctions.

VI. Departmental Security Audits

Whenever the physical layout of the work space is significantly altered, the department/division manager will work with the Police Department to examine the escape routes of the work area and communicate any changes to all department/division employees. On an as needed basis, the department/division manager may request a security audit from the Police Department to determine available security measures. All employees should openly communicate with each other to be aware of any unusual activity that may identify the potential for or actual occurrence of a violent incident.

VII. Safety-Related Searches

Lockers, desks, storage drawers, work areas, work-provided phones, PDA's and computers, and vehicles assigned to employees are Town property and are subject to unannounced inspections. Private items should not be stored in such property. The Town may exercise its right to search Town property for weapons and any other items not permitted on Town premises.

For legitimate safety purposes when there is a credible threat of workplace violence, the Town reserves the right to search the possessions of employees, vendors, contractors, and subcontractors upon entering and leaving Town property, and at any time while on Town property without prior announcement. At such times, all briefcases, purses, portfolios, lunch boxes, toolboxes, and other articles and containers may be subject to inspection. Employees refusing to submit or interfering with such searches may be subject to disciplinary action, up to and including termination.

VIII. Employee Training

The department/division manager, or his/her designee, will orient all new employees to departmental/divisional procedures regarding reporting incidents of violence or retaliation, what to do if the employee is threatened and/or if an incident of violence actually takes place, and dealing with the after effects of an act of violence or retaliation.

IX. Employee Assistance Program

Should an employee become the victim of an incident of workplace violence, the department/division manager should make sure the employee is aware of services available through the Employee Assistance Program (EAP) and may offer additional referral services to assist the employee and/or affected work group in coping with any effects of the incident.

Should it be determined in the investigation of a reported incident that an employee did commit a violent act, the employee shall at a minimum be referred to the EAP by the department/division manager. In these cases, failure by the employee to keep an initial appointment with the EAP shall result in disciplinary action.